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Message Text

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ACTION AID-05

INFO OCT-01 ARA-10 ISO-00 IGA-01 L-02 EB-06 AGR-10 SP-02

SWF-01 DRC-01 RSC-01 /040 W
---------- 011854
P 161715Z OCT 74
FM AMEMBASSY NASSAU
TO SECSTATE WASHDC PRIORITY 6085

UNCLAS NASSAU 1759

E.O. 11652: N/A
TAGS: EAID, BF
SUBJECT: BLRD: TERMS FOR OFF-SITE USE OF EQUIPMENT

FOR AID (AA/TA), DR. LONG

1. AID GC REPRESENTATIVE LUNDY AND EMBASSY ECONOFF MET FRIDAY, OCT 11, WITH GCOB REPS TO REVIEW TERMS WHICH WOULD GOVERN OFF SITE USE OF BLRD PROJECT EQUIPMENT. FOLLOWING TEXT HAS BEEN TENTATIVELY APPROVED AS MEETING NEEDS OF BOTH AID AND MINISTRY OF AGRICULTURE. UNLESS ADVISED OTHERWISE, EMBASSY PROPOSES TO INCORPORATE TERMS INTO MEMORANDUM OF UNDERSTANDING TO BE SIGNED BY AMBASSADOR AND MINISTER OF AGRICULTURE ROBERTS. GCOB WILL PROVIDE FIGURE TO BE GIVEN IN PARA III(C) BELOW BEFORE SIGNATURE.

BEGIN TEXT: PURSUANT TO THE PURPOSES OF PROJECT AGREEMENT NO 931-11-130-989-73-3138690, ENTITLED "LIVESTOCK RESEARCH AND DEVELOPMENT PROJECT", BETWEEN THE MINISTRY OF AGRICULTURE, FISHERIES AND LOCAL GOVERNMENT OF THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS AND THE AGENCY FOR INTERNATIONAL DEVELOPMENT OF THE UNITED STATES GOVERNMENT SIGNED JANUARY 19, 1973, THE TWO AGENCIES HAVE AGREED IN PRINCIPLE TO THE USE OF PROJECT EQUIPMENT OFF THE SITE OF THE PROJECT AND HAVE APPROVED THE FOLLOWING CRITERIA AND PROCEDURES TO GOVERN SUCH USE:

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I. CRITERIA

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A. QUALIFICATION
APPLICANT SHALL BE BAHAMIANS OR OTHER PERSONS
APPROVED BY THE MINISTRY, AND SHALL BE OWNERS OR
LEASE HOLDERS OF THEIR PROPERTY. PROPERTY CLEARED
SHALL BE INTENDED FOR USE IN AGRICULTURAL PURPOSES,
INCLUDING LIVESTOCK AND PASTURE, AND WILL BE SO
CERTIFIED BY THE BAHAMIAN GOVERNMENT. APPLICANTS
WILL SUBMIT A WORK PLAN TO BE APPROVED BY THE MINISTRY.

B. SCOPE OF USE
THE MINIMUM AND MAXIMUM ACREAGE TO BE CLEARED PER
APPLICANT SHALL BE DETERMINED BY THE PROJECT
MANAGER AND CO-MANAGER WITH THE APPROVAL OF THE MINISTRY.
LAND CLEARING WILL MEAN BULLDOZING AND DISCING AND SUCH FURTHER
USE OF EQUIPMENT FOR THIS PURPOSE AS THE PROJECT MANAGER
AND CO-MANAGER SHALL IN THEIR DISCRETION DETERMINE.

C. PAYMENT
PAYMENT WILL BE IN ADVANCE ON THE BASIS OF A SCALE
OF COSTS TO BE DETERMINED BY THE PROJECT LOGISTICS
PERSONNEL, APPROVED BY THE MINISTRY, AND REVISED AS
NECESSARY TO REFLECT ACTUAL COSTS. THE EQUIPMENT
TO BE USED TO PERFORM SERVICES WILL BE OPERATED ONLY
BY PROJECT PERSONNEL UPON ASSIGNMENT BY THE PROJECT MANAGER
AND CO-MANAGER.

II.

APPLICATION WILL BE MADE TO THE MINISTRY WHICH WILL
DETERMINE QUALIFICATIONS.

A. WHEN THE MINISTRY OF AGRICULTURE IS SATISFIED
THAT THE APPLICANT MEETS THE QUALIFICATIONS IT
WILL NOTIFY THE PROJECT MANAGER AND CO-MANAGER,
FORWARDING WITH THE NOTIFICATION THE APPROPRIATE
PAYMENT AND WORK PLAN.

B. THE PROJECT MANAGER AND CO-MANAGER IN CONSULTATION
WITH THE APPROVED APPLICANT WILL SCHEDULE THE LAND
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CLEARING ON A FIRST COME FIRST SERVED BASIS AFTER
THE PROJECT NEEDS ARE MET.

C. WHEN THE LAND CLEARING HAS BEEN COMPLETED, THE
PROJECT MANAGER AND CO-MANAGER WILL NOTIFY THE MINISTRY.

III. INSURANCE

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A. WIST SHALL CAUSE TO BE MAINTAINED INSURANCE
OF THE EQUIPMENT FOR DAMAGE DURING TRANSPORT TO
THE OFF SITE LOCATIONS AND DURING LAND CLEARING OPERATIONS.

B. WIST SHALL ALSO CAUSE TO BE MAINTAINED LIABILITY
INSURANCE WITH RESPECT TO ACCIDENT, INJURY OR
DEATH, AND DAMAGE TO PROPERTY OR ANIMALS CAUSED BY
A MALFUNCTION OF THE EQUIPMENT.

C. THE MINISTRY SHALL CAUSE TO BE MAINTAINED
LIABILITY INSURANCE IN THE SUM OF $....
WITH RESPECT TO ACCIDENT, INJURY OR DEATH, AND
DAMAGE TO PROPERTY OR ANIMALS CAUSED BY ACTION
OF THE OPERATOR, NEGLIGENT OR WILLFUL, PROPER
OR IMPROPER.

D. THE MINISTRY SHALL ALSO CAUSE TO BE INSURED
ALL OPERATORS OF EQUIPMENT IN ACCORDANCE WITH
LOCAL WORKMEN'S COMPENSATION LAWS.

THIS AGREEMENT SHALL BECOME EFFECTIVE UPON THE LAST
SIGNATURE AFFIXED HERETO AND SHALL CONTINUE IN FORCE
UNTIL A WRITTEN LETTER IF INTENT TO TERMINATE IS GIVEN
BY EITHER PARTY OR THE PROJECT AGREEMENT IS TERMINATED.
END TEXT.

2. EMBASSY UNDERSTANDS THAT INSOFAR AS TERMS PLACE INSURANCE
OBLIGATIONS ON U.S. THROUGH WIST CONTRACT, THOSE OBLIGATIONS
HAVE BEEN MET AND INSURANCE NOW IN ORDER. PLEASE CONFIRM.

3. PROVISIONS FOR SUPERVISING PROJECT-GENERATED FUNDS
BEING SENT SEPTEL.
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